

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DANIEL SIEGFRIED,

Plaintiff,

C.A. No.: 07-118

$$V_n$$

McNEIL CONSUMER & SPECIALTY
PHARMACEUTICALS, A DIVISION OF
McNEIL-PPC, INC., a foreign corporation,
and JOHNSON & JOHNSON, a foreign
corporation,

Defendants.

NOTICE OF SERVICE OF PROCESS AND COMPLAINT

Plaintiff, by his attorneys, hereby file with this Court, in accordance with 10 Del. C. §3104, proof of receipt of notice by the defendant, McNeil Consumer & Specialty Pharmaceuticals. Attached hereto as Exhibit "A" is the mailed transmission from the United States Postal Service evidencing receipt of the registered letter along with the actual receipt of mailing. The Affidavit of Tara E. Bustard, Esquire, evidencing transmittal of said registered article is attached hereto as Exhibit "B". A copy of the actual notice sent to defendant, McNeil Consumer & Specialty Pharmaceuticals, is attached hereto as Exhibit "C". Attached hereto as Exhibit "D" is the Amendment to the Complaint pursuant to Superior Court Rule 4h.

DOROSHOW, PASQUALE,
KRAWITZ & BHAYA

By: /s/ MATTHEW R. FOGG
ARTHUR M. KRAWITZ (#2440)
MATTHEW R. FOGG (#4254)
1202 Kirkwood Highway
Wilmington, DE 19805
(302) 998-0100
Attorneys for Plaintiff
ArtKrawitz@dplaw.com
MattFogg@dplaw.com

DATED: 3-23-2007

EXHIBIT "A"

D. Siegfried

TS

Registered No. RA 519 690 822 US

Date Stamp

| | |
|---------------------|---------------------|
| Reg Fee | 7.90 |
| Handling Charge | Return Receipt 1.85 |
| Postage | 1.11 |
| Restricted Delivery | |
| Received by | LS |

39289 (MRF)

Domestic insured up to \$25,000 is included in the fee. International indemnity is limited. (See Reverse)

Customer Must Declare Full Value \$ ☐ With Postal Insurance ☐ Without Postal Insurance

OFFICIAL USE

FROM Doroshew, Pasquale, Krawitz, & Block, 1202 Kirkwood Highway, Wilmington DE 19805

TO McNeil Consumer & Specialty Pharm, 7050 Camp Hill Road, Fort Washington, PA 19034

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer (See Information on Reverse)

May 2004 (7530-02-000-9051)

For domestic delivery information, visit our website at www.usps.com

SENDER: COMPLETE THIS SECTION

☒ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

☒ Print your name and address on the reverse so that we can return the card to you.

☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
McNeil Consumer & Specialty Pharmaceuticals
7050 Camp Hill Road
Fort Washington, PA 19034

2. Article Number (Transfer from service label) RA 519 690 822 US

COMPLETE THIS SECTION ON DELIVERY

A. Signature *J. Germaine Travis* ☐ Agent ☐ Addressee

B. Received by (Printed Name) JERMAINE TRAVIS

C. Date of Delivery 3-14-07

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type ☐ Certified Mail ☐ Express Mail ☒ Registered ☒ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

EXHIBIT "B"

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DANIEL SIEGFRIED,

Plaintiff,

v.

McNEIL CONSUMER & SPECIALTY
PHARMACEUTICALS, A DIVISION OF
McNEIL-PPC, INC., a foreign corporation,
and JOHNSON & JOHNSON, a foreign
corporation,

Defendants.

C.A. No.: 07-118

STATE OF DELAWARE :
: SS
COUNTY OF NEW CASTLE :

TARA E. BUSTARD, ESQUIRE, being duly sworn according to law, deposes and says:

1. That Doroshow, Pasquale, Krawitz, Siegel & Bhaya represents the plaintiff in Civil Action No. 07-118 in which McNeil Consumer & Specialty Pharmaceuticals is a defendant.
2. The notice required pursuant to 10 Del. C. §3104 was mailed, by registered mail, postage prepaid, return receipt requested, on March 12, 2007. The post office receipt obtained at the time of mailing the registered letter containing the notice is the receipt attached to this Affidavit.
3. The notice provided for in 10 Del. C. §3104 was contained in the envelope at the time it was mailed.
4. The return receipt signed by the return receipt signed by a representative of McNeil Consumer & Specialty Pharmaceuticals, Jermaine Travis, was returned to the sender on March 16, 2007.


TARA E. BUSTARD

SWORN TO AND SUBSCRIBED before me this 23rd day of July, 2007.

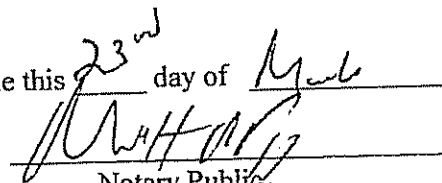

Notary Public
DELAWARE ATTORNEY
ID # 4254

EXHIBIT "C"

March 12, 2007

PLEASE RESPOND TO:

**1202 Kirkwood Highway
Wilmington, DE 19805**

McNeil Consumer & Specialty Pharmaceuticals
7050 Camp Hill Road
Fort Washington, PA 19034

**REGISTERED LETTER
RETURN RECEIPT
REQUESTED**

RE: Notice of Service of Process
Pursuant to 10 Del. C. §3104
***Daniel Siegfried v. McNeil Consumer & Specialty Pharmaceuticals,
et al***
C.A. No.: 07-118

To Whom it May Concern:

This letter is to advise you that I represent Daniel Siegfried who has filed suit against you in the United States District Court for the District of Delaware with regard to an accident occurring on June 5, 2005. Enclosed you will find a copy of the Complaint filed with the United States District Court for the District of Delaware and a copy of the Summons, the original which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3104, the Secretary of State has been appointed your agent for the acceptance of legal process in any civil action against you as a non-resident wherein you caused tortious injuries within the State of Delaware. Under the provisions of 10 Del. C. §3104, such service shall be the same legal force and validity as if served upon any non-resident personally within the State and such appointment of Secretary of State is irrevocable and binding upon you or your heirs.

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be held against you in the United States District Court for the District of Delaware. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company.

Very Truly Yours,

MATTHEW R. FOGG

Enclosures

EXHIBIT "D"

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DANIEL SIEGFRIED,

Plaintiff,

v.

McNEIL CONSUMER & SPECIALTY
PHARMACEUTICALS, A DIVISION OF
McNEIL-PPC, INC., a foreign corporation,
and JOHNSON & JOHNSON, a foreign
corporation,

Defendants.

C.A. No.: 07-118

**AMENDMENT TO COMPLAINT PURSUANT TO
SUPERIOR COURT RULE 4h**

Plaintiff amends his complaint as originally filed on February 26, 2007 by adding paragraph 34 which is intended to be incorporated in the aforesaid Complaint and to be made a part thereof:

34. Defendant, McNeil Consumer & Specialty Pharmaceuticals, is a foreign corporation. Thus, service of process upon it was required under 10 Del. C. §3104. On March 12, 2007, pursuant to the requirements of 10 Del. C. §3104, plaintiff's attorney mailed to defendant, McNeil Consumer & Specialty Pharmaceuticals, a copy of the Process and Complaint which was served upon the Secretary of State by registered mail, postage prepaid, return receipt requested together with a letter informing it that the original said Process and Complaint had been served upon the Secretary of State and that in accordance with 10 Del. C. §3104, this service was effectual for all intents and purposes as if it had been made upon it personally within the State. On March 16, 2007, the return receipt signed by a representative of McNeil Consumer & Specialty Pharmaceuticals, Jermaine Travis, was returned to the office of Doroshow, Pasquale, Krawitz & Bhaya. A copy of the letter, the registered mail receipt, a proof of receipt of Notice and an Affidavit have been filed with the Court.

DOROSHOW, PASQUALE,
KRAWITZ & BHAYA

By: /s/ MATTHEW R. FOGG
ARTHUR M. KRAWITZ (#2440)
MATTHEW R. FOGG (#4254)
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Attorneys for Plaintiff
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DATED: 3-23-2007